

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMESHA DUCKETT,

Plaintiff,

v.

P. GARCIA,

Defendant.

Case No. 24-cv-00536 BLF

**ORDER GRANTING RELIEF
FROM ELECTRONIC FILING
REQUIREMENT; INSTRUCTIONS
TO CLERK**

Plaintiff is a state prisoner who is seeking to file an action under 42 U.S.C. § 1983. Plaintiff was housed at Salinas Valley State Prison (“SVSP”) at the time he mailed case-initiating documents to this Court. Dkt. No. 1 at 2. On January 30, 2024, the Clerk of the Court sent Plaintiff a notice of his failure to use PBSP’s email filing procedures in filing his case-initiating documents – i.e., the complaint and *in forma pauperis* (“IFP”) application, in violation of General Order No. 76.¹ Dkt. No. 1 at 1. The Clerk’s notice advised Plaintiff of the procedures to comply with the emailing requirements and that he must do so within fourteen days of the notice to avoid dismissal. *Id.* Then on March 7,

¹ General Order No. 76 established a Pilot Project of the Court and the California Department of Corrections and Rehabilitation (“CDCR”), which requires prisoners filing civil rights actions under § 1983 to submit the case-initiating documents to the Court by email through designated CDCR staff.

2024, the Court *sua sponte* granted Plaintiff an extension of time to comply with General Order No. 76 or show good cause for relief from the electronic filing requirement by March 29, 2024. Dkt. No. 5.

On March 28, 2024, Plaintiff filed a notice of change of address, stating that he is now housed at the California Medical Facility and no longer at SVSP. Dkt. No. 6. Accordingly, the Court finds good cause for relieving Plaintiff from General Order No. 76's efilng requirement as he is no longer confined at a CDCR institution designated by the Clerk of the Court to participate in the Pilot Program under General Order No. 76.

The Clerk shall file the case-initiating documents that were received by the Court as separate docket entries, *i.e.*, the complaint and IFP application, with a filed date of January 30, 2024. Dkt. Nos. 1-1, 1-2. The Court will conduct an initial review of these papers in due course.

IT IS SO ORDERED.

Dated: April 2, 2024


BETH LABSON FREEMAN
United States District Judge